

MAY. 24. 2006 4:30PM

FOLEY 8587926773

RECEIVED
CENTRAL FAX CENTER

NO. 4875 P. 1

FOLEY

MAY 24 2006

FOLEY & LARDNER LLP
ATTORNEYS AT LAW
11250 EL CAMINO REAL, SUITE 200
SAN DIEGO, CA 92130
P.O. BOX 80278
SAN DIEGO, CA 92138-0278
TELEPHONE: 858.847.6700
FACSIMILE: 858.792.6773
WWW.FOLEY.COM

FACSIMILE TRANSMISSION

Total # of Pages 6 (including this page)

TO:	PHONE #:	FAX #:
Deborah K. Ware Group Art Unit: 1651 Commissioner for Patents		(571) 273-8300

From : Stephen E. Reiter <i>SR</i>
Email Address : sreiter@foley.com
Sender's Direct Dial : 858.847.6711
Date : May 24, 2006
Client/Matter No : 074066-0105 (21CM1100-2)
User ID No : 1877

MESSAGE:

U.S. Patent Application No. 09/916,032

Following are:

1. Request for Continued Examination (RCE) Transmittal (4 pgs.)
2. Credit Payment Form in the amount of \$455.00 (1 pg.)

If there are any problems with this transmission or if you have not received all of the pages, please call 858.847.6700.

Operator:	Time Sent:	Return Original To: Mercedes F. "Ched" Dipasupil
-----------	------------	---

CONFIDENTIALITY NOTICE: THE INFORMATION CONTAINED IN THIS FACSIMILE MESSAGE IS INTENDED ONLY FOR THE PERSONAL AND CONFIDENTIAL USE OF THE DESIGNATED RECIPIENTS NAMED ABOVE. THIS MESSAGE MAY BE AN ATTORNEY-CLIENT COMMUNICATION, AND AS SUCH IS PRIVILEGED AND CONFIDENTIAL. IF THE READER OF THIS MESSAGE IS NOT THE INTENDED RECIPIENT OR ANY AGENT RESPONSIBLE FOR DELIVERING IT TO THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT YOU HAVE RECEIVED THIS DOCUMENT IN ERROR, AND THAT ANY REVIEW, DISSEMINATION, DISTRIBUTION OR COPYING OF THIS MESSAGE IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR, PLEASE NOTIFY US IMMEDIATELY BY TELEPHONE AND RETURN THE ORIGINAL MESSAGE TO US BY MAIL. THANK YOU.

Cover Page 1 of 1

FOLEY & LARDNER LLP

DLMR_284310.1

PAGE 1/6 * RCVD AT 5/24/2006 7:35:00 PM [Eastern Daylight Time] * SVR:USPTO-EFAX-1/1 * DNIS:2738300 * CSID: * DURATION (mm:ss):02-02

MAY. 24. 2006 4:30PM

FOLEY 8587926773

RECEIVED
CENTRAL FAX CENTER

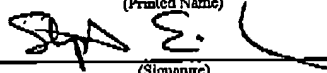
MAY 24 2006

NO. 4875 P. 2

Atty. Dkt. No. 074066-0105

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Gregory M. Fahy
Title: Hypertonic Reduction of
Chilling Injury
Appl. No.: 09/916,032
Appl. Filing Date: 7/26/2001
Examiner: Deborah K. Ware
Art Unit: 1651
Confirmation Number: 9126

CERTIFICATE OF FACSIMILE TRANSMISSION I hereby certify that this paper is being facsimile transmitted to the United States Patent and Trademark Office, Alexandria, Virginia on the date below. Stephen E. Reiter (Printed Name)  (Signature) May 24, 2006 (Date of Deposit)
--

REQUEST FOR CONTINUED EXAMINATION (RCE)
TRANSMITTAL

Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application. This RCE and the enclosed items listed below are being filed prior to the earliest of: (1) payment of the issue fee (unless a petition under 37 C.F.R. § 1.313 is granted); (2) abandonment of the application; or (3) the filing of a notice of appeal to the U.S. Court of Appeals for the Federal Circuit under 35 U.S.C. §141, or the commencement of a civil action under 35 U.S.C. §145 or §146 (unless the appeal or civil action is terminated).

1. Submission required under 37 C.F.R. §1.114: (check items that apply)

a. Previously submitted:

05/25/2006 TL0111 00000017 09916032

01 FC:2001
02 FC:2251

395.00 OP
60.00 OP

DLMR_284307.1

MAY. 24. 2006 4:31PM

FOLEY 8587926773

RECEIVED
CENTRAL FAX CENTER

NO. 4875 P. 3

MAY 24 2006

In re application of
Gregory M. Fahy.
Application No.: 09/916,032
Page 2 of 4

Atty. Dkt. No. 074066-0105

☒ Please enter and consider the amendment and/or reply previously filed on April 24, 2006.

☐ Please consider the Affidavit(s)/Declaration(s) previously filed on ___ but not considered.

☐ Please consider the arguments in the Appeal Brief or Reply previously filed on ___.

☐ Other ___.

b. Enclosed are:

☐ Amendment/Reply.

☐ Affidavit(s)/Declaration(s).

☐ Other .

Miscellaneous:

☐ Suspension of action of the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of ___ months.

The filing fee is calculated below:

	Claims as Amended	Previously Paid For	Extra Claims Present	Rate	Fee Totals	
RCE Fee 1.17(e):				\$790.00	=	\$790.00
Total Claims:	23	- 27	= 0	x \$50.00	=	\$0.00
Independents	4	- 6	= 0	x \$200.00	=	\$0.00
First presentation of any Multiple Dependent Claims:				+ \$360.00	=	\$0.00
CLAIMS FEE TOTAL:					=	\$790.00

DLMR_284307.1

MAY 24 2006

In re application of
Gregory M. Fahy.
Application No.: 09/916,032
Page 3 of 4

Atty. Dkt. No. 074066-0105

☒ Applicant hereby petitions for an extension of time under 37 C.F.R. §1.136(a) for the
total number of months checked below:

<input checked="" type="checkbox"/>	Extension for response filed within the first month:	\$120.00	1	\$120.00
<input type="checkbox"/>	Extension for response filed within the second month:	\$450.00		\$0.00
<input type="checkbox"/>	Extension for response filed within the third month:	\$1,020.00		\$0.00
<input type="checkbox"/>	Extension for response filed within the fourth month:	\$1,590.00		\$0.00
<input type="checkbox"/>	Extension for response filed within the fifth month:	\$2,160.00		\$0.00
EXTENSION FEE SUBTOTAL:				\$120.00
EXTENSION FEE ALREADY PAID: -				\$0.00
EXTENSION FEE TOTAL				\$120.00
CLAIMS AND EXTENSION FEE TOTAL:				\$910.00
<input checked="" type="checkbox"/>	Small Entity Fees Apply (subtract ½ of above):			\$455.00
<input type="checkbox"/>	Suspension of action requested under 37 C.F.R. § 1.103(c)			\$0.00
TOTAL FEE:				\$455.00

A credit card payment form in the amount of \$455.00 to cover the filing fee is enclosed.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 50-0872. Should no proper payment be enclosed herewith, as by the credit card payment form being unsigned, providing incorrect information resulting in a rejected credit card transaction, or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 50-0872.

In re application of
Gregory M. Fahy.
Application No.: 09/916,032
Page 4 of 4

Atty. Dkt. No. 074066-0105

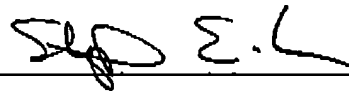
Please direct all correspondence to the undersigned attorney or agent at the address indicated below.

Respectfully submitted,

Date May 24, 2006

FOLEY & LARDNER LLP
Customer Number: 30542
Telephone: (858) 847-6711
Facsimile: (858) 792-6773

By



Stephen E. Reiter
Attorney for Applicant
Registration No. 31,192

DLMR_284307.1